

Part 3 Licensing

58-24b-301 Authority to practice physical therapy.

A person may not engage in the practice of physical therapy, unless the person is:

- (1) licensed under this chapter and practices within the scope of that license; or
- (2) exempted from the licensing requirements of this chapter under Section 58-1-307 or 58-24b-304.

Amended by Chapter 238, 2016 General Session

58-24b-302 Licensure.

- (1) An applicant for a license as a physical therapist shall:
 - (a) be of good moral character;
 - (b) complete the application process, including payment of fees;
 - (c) submit proof of graduation from a professional physical therapist education program that is accredited by a recognized accreditation agency;
 - (d) after complying with Subsection (1)(c), pass a licensing examination;
 - (e) be able to read, write, speak, understand, and be understood in the English language and demonstrate proficiency to the satisfaction of the board if requested by the board; and
 - (f) meet any other requirements established by the division, by rule.
- (2) An applicant for a license as a physical therapist assistant shall:
 - (a) be of good moral character;
 - (b) complete the application process, including payment of fees set by the division, in accordance with Section 63J-1-504, to recover the costs of administering the licensing requirements relating to physical therapist assistants;
 - (c) submit proof of graduation from a physical therapist assistant education program that is accredited by a recognized accreditation agency;
 - (d) after complying with Subsection (2)(c), pass a licensing examination;
 - (e) be able to read, write, speak, understand, and be understood in the English language and demonstrate proficiency to the satisfaction of the board if requested by the board; and
 - (f) meet any other requirements established by the division, by rule.
- (3) An applicant for a license as a physical therapist who is educated outside of the United States shall:
 - (a) be of good moral character;
 - (b) complete the application process, including payment of fees;
 - (c)
 - (i) provide satisfactory evidence that the applicant graduated from a professional physical therapist education program that is accredited by a recognized accreditation agency; or
 - (ii)
 - (A) provide satisfactory evidence that the applicant graduated from a physical therapist education program that prepares the applicant to engage in the practice of physical therapy, without restriction;
 - (B) provide satisfactory evidence that the education program described in Subsection (3)(c)(ii)(A) is recognized by the government entity responsible for recognizing a physical therapist education program in the country where the program is located; and

- (C) pass a credential evaluation to ensure that the applicant has satisfied uniform educational requirements;
 - (d) after complying with Subsection (3)(c), pass a licensing examination;
 - (e) be able to read, write, speak, understand, and be understood in the English language and demonstrate proficiency to the satisfaction of the board if requested by the board; and
 - (f) meet any other requirements established by the division, by rule.
- (4) The division shall issue a license to a person who holds a current unrestricted license to practice physical therapy in a state, district, or territory of the United States of America, other than Utah, if the person:
- (a) is of good moral character;
 - (b) completes the application process, including payment of fees; and
 - (c) is able to read, write, speak, understand, and be understood in the English language and demonstrate proficiency to the satisfaction of the board if requested by the board.
- (5)
- (a) Notwithstanding Subsection 58-1-307(1)(c), an individual may not engage in an internship in physical therapy, unless the person is:
 - (i) certified by the division; or
 - (ii) exempt from licensure under Section 58-24b-304.
 - (b) The provisions of Subsection (5)(a) apply, regardless of whether the individual is participating in the supervised clinical training program for the purpose of becoming a physical therapist or a physical therapist assistant.

Amended by Chapter 238, 2016 General Session

58-24b-303 Term of license -- Renewal -- Temporary license for physical therapist assistant.

- (1) A license issued under this chapter shall be issued in accordance with a two-year renewal cycle established by rule. The division may, by rule, extend or shorten a license renewal process by one year in order to stagger the renewal cycles that the division administers.
- (2) At the time of license renewal, the licensee shall provide satisfactory evidence that the licensee completed continuing education competency requirements, established by the division, by rule.
- (3) If a license renewal cycle is shortened or extended under Subsection (1), the division shall increase or reduce the required continuing education competency requirements accordingly.
- (4) A license issued under this chapter expires on the expiration date indicated on the license, unless the license is renewed under this section.
- (5) Notwithstanding any other provision of this chapter, the division may, by rule, grant a temporary license, that expires on July 1, 2014, as a physical therapist assistant to an individual who:
 - (a) was working as a physical therapist assistant in Utah before July 1, 2009; and
 - (b) complies with the requirements described in Subsections 58-24b-302(2)(a), (b), (c), (e), and (f).

Amended by Chapter 238, 2016 General Session

58-24b-304 Exemptions from licensure.

- (1) In addition to the exemptions from licensure described in Section 58-1-307, as modified by Subsection 58-24b-302(5), a person may engage in acts that constitute the practice of physical therapy without a license issued under this chapter if:
 - (a) the person is licensed under another law of the state to engage in acts that constitute the practice of physical therapy if that person does not:

- (i) claim to be a physical therapist;
 - (ii) claim to be a provider of any type of physical therapy that is outside of the scope of practice of the license that is issued to the person; or
 - (iii) engage in any acts that constitute the practice of physical therapy that are outside of the scope of practice of the license that is issued to the person;
- (b) the person practices physical therapy, under federal law, in:
- (i) the United States armed services;
 - (ii) the United States Public Health Service; or
 - (iii) the Veteran's Administration;
- (c) the person is:
- (i) licensed as a physical therapist in:
 - (A) a state, district, or territory of the United States, other than Utah; or
 - (B) a country other than the United States; and
 - (ii)
 - (A) teaching, demonstrating, or providing physical therapy in connection with an educational seminar, if the person engages in this conduct in Utah no more than 60 days per calendar year;
 - (B) practicing physical therapy directly related to the person's employment with, or contract with, an established athletic team, athletic organization, or performing arts company that plays, practices, competes, or performs in Utah no more than 60 days per calendar year; or
 - (C) providing consultation by telecommunication to a physical therapist;
- (d) the person:
- (i)
 - (A) is licensed as a physical therapist assistant under federal law; and
 - (B) practices within the scope of practice authorized by federal law for a physical therapist assistant; or
 - (ii)
 - (A) is licensed as a physical therapist assistant in:
 - (I) a state, district, or territory of the United States, other than Utah; or
 - (II) a country other than the United States; and
 - (B)
 - (I) practices within the scope of practice authorized for a physical therapist assistant by the jurisdiction described in Subsection (1)(d)(ii)(A); and
 - (II) within the limitations for the practice of physical therapy described in Subsection (1)(c)(ii); or
- (e) the person:
- (i) is a physician, licensed under Title 58, Chapter 67, Utah Medical Practice Act;
 - (ii) is a physician, licensed under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or
 - (iii) is a chiropractic physician, licensed under Title 58, Chapter 73, Chiropractic Physician Practice Act.
- (2) A person who is exempted from licensure under Subsection (1)(b) may practice animal physical therapy without a license under this section if the person:
- (a) is authorized to practice animal physical therapy under federal law; and
 - (b) practices animal physical therapy within the scope of practice authorized by federal law.
- (3) A person who is exempted from licensure under Subsection (1)(c) may practice animal physical therapy without a license under this section if the person:

- (a) is authorized to practice animal physical therapy in:
 - (i) a state, district, or territory of the United States, other than Utah; or
 - (ii) a country other than the United States; and
- (b) practices animal physical therapy:
 - (i) within the scope of practice for the jurisdiction described in Subsection (3)(a) where the person is authorized to practice animal physical therapy; and
 - (ii) within the limitations for the practice of physical therapy described in Subsection (1)(c)(ii).

Enacted by Chapter 220, 2009 General Session

58-24b-305 License denial -- Discipline -- Cease and desist order.

In accordance with Section 58-1-401, the division may:

- (1) refuse to issue a license to an applicant;
- (2) refuse to renew a license;
- (3) revoke, suspend, or restrict a license;
- (4) place a license on probation;
- (5) issue a public or private reprimand to a licensee; or
- (6) issue a cease and desist order.

Enacted by Chapter 220, 2009 General Session